

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE APPLICATION OF AT&T MOBILITY LLC,

09 Civ. 7072  
(DLC) (MHD)

IN RE APPLICATION OF CELLCO PARTNERSHIP  
D/B/A VERIZON WIRELESS,

09 Civ. 7074  
(DLC) (MHD)

IN RE APPLICATION OF ERICSSON INC.,

09 Civ. 7076  
(DLC) (MHD)

Related to

UNITED STATES OF AMERICA,  
Plaintiff,

v.

AMERICAN SOCIETY OF COMPOSERS, AUTHORS,  
AND PUBLISHERS,  
Defendant.

~~PROPOSED~~ <sup>J</sup> PRETRIAL  
SCHEDULING ORDER

41 CIV. 1395 (DLC)

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 3/17/10

DENISE COTE, District Judge:

As set forth at the telephone conference held on March 12, 2010, and in the parties' correspondence of March 16, 2010, the following schedule shall govern the further conduct of pretrial proceedings in these consolidated cases:

1. The Joint Pretrial Order must be filed by **May 26, 2010**.

As described in this Court's Individual Practices in Civil Cases, the following documents must be filed with the Pretrial Order: Proposed Findings of Fact and Conclusions of Law and a Memorandum of Law addressing all questions of law expected to arise at trial.

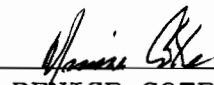
All direct testimony except for testimony of an adverse party, a person whose attendance must be compelled by subpoena, or a witness for whom a party has requested and the Court has agreed to hear the direct testimony at trial, shall be submitted by affidavits and served, **but not filed**, with the Joint Pretrial Order.

Those portions of depositions that are being offered as substantive evidence, along with a one page synopsis (with transcript citations) of such testimony for each deposition, shall be exchanged at the time the Pretrial Order is filed.

Counsel will provide the Court with two (2) courtesy copies of all these documents at the time they are served, as well as one set of pre-marked exhibits assembled sequentially i) in a looseleaf binder, or ii) in separate manila folders labeled with the exhibit numbers and placed in a suitable container or box for ready reference.

2. The Parties shall identify witnesses to be cross-examined at trial by **June 3, 2010**. Witnesses for whom such notice is not given are not required to be present at trial.
3. The Parties shall file their responsive memoranda of law by **June 11, 2010**.
4. The Parties shall serve opening motions in limine no later than **June 11, 2010**, with responses due two weeks after service, but in no event later than **June 24, 2010**.
5. This case shall be scheduled for trial in this Court beginning on **July 12, 2010**.

Dated: New York, New York  
March 17, 2010

  
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DENISE COTE  
United States District Judge